

## Anson, Robie

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**From:** Hammer, Edward  
**Sent:** Friday, April 13, 2018 9:55 AM  
**To:** Minahan, Kristi L - DNR  
**Cc:** Pfeifer, David; Anson, Robie; Hemken, Meghan  
**Subject:** Narrative Biological Criteria  
**Attachments:** NArrative Biocriteria Procedures.pdf; Biological Criteria EPA 1990.pdf

Hi Kristi,

Below are some examples of narrative biological criteria. The first one is how MPCAs criteria used to be prior to adoption of their TALU and numeric biocriteria, the second one is an example from Arizona which would still need to include a translation mechanism to the IBI documents and the third one is from Ohio though that is with numeric biocriteria. I also attached an EPA guidance document on Procedures for Initiating Narrative Biological Criteria and our Biological Criteria document which has some information on narratives.

Let me know if you have any questions.

Ed

### Example of MPCAs old use definitions:

#### **7050.0140 USE CLASSIFICATIONS FOR WATERS OF THE STATE.**

Subp. 3. **Class 2 waters, aquatic life and recreation.** Aquatic life and recreation includes all of the state that support or may support fish, other aquatic life, bathing, boating, or other recreational purposes and for which quality control is or may be necessary to protect aquatic or terrestrial life or their habitats or the public health, safety, or welfare.

Subp. 6. **Impairment of biological community and aquatic habitat.** In evaluating whether the narrative standards in subpart 3, which prohibit serious impairment of the normal fisheries and lower aquatic biota upon which they are dependent and the use thereof, material alteration of the species composition, material degradation of stream beds, and the prevention or hindrance of the propagation and migration of fish and other biota normally present, are being met, the commissioner will consider all readily available and reliable data and information for the following factors of use impairment:

A. an index of biological integrity calculated from measurements of attributes of the resident fish community, including measurements of:

- (1) species diversity and composition;
- (2) feeding and reproduction characteristics; and
- (3) fish abundance and condition;

B. an index of biological integrity calculated from measurements of attributes of the resident aquatic invertebrate community, including measurements of:

- (1) species diversity and composition;
- (2) feeding characteristics; and
- (3) species abundance and condition;

C. an index of biological integrity calculated from measurements of attributes of the resident aquatic plant community, including measurements of:

- (1) species diversity and composition, including algae; and

(2) species abundance and condition;

D. a quantitative or qualitative assessment of habitat quality, determined by an assessment of:

(1) stream morphological features that provide spawning, nursery, and refuge areas for fish and invertebrates;

(2) bottom substrate size and variety;

(3) variations in water depth;

(4) sinuosity of the stream course;

(5) physical or hydrological alterations of the stream bed including excessive sedimentation;

(6) types of land use in the watershed; and

(7) other scientifically accepted and valid factors of habitat quality; and

E. any other scientifically objective, credible, and supportable factors.

A finding of an impaired condition must be supported by data for the factors listed in at least one of items A to C. The biological quality of any given surface water body will be assessed by comparison to the biological conditions determined for a set of reference water bodies which best represents the most natural condition for that surface water body type within a geographic region.

#### **Example from Arizona:**

A wadeable, perennial stream shall support and maintain a community of organisms having a taxa richness, species composition, tolerance, and functional organization comparable to that of a stream with reference conditions in Arizona.

#### **Example of Ohio Use definitions:**

Use designations are defined as follows:

(1) Aquatic life habitat

(a) "Warmwater" - these are waters capable of supporting and maintaining a balanced, integrated, adaptive community of warmwater aquatic organisms having a species composition, diversity, and functional organization comparable to the twenty-fifth percentile of the identified reference sites within each of the following ecoregions: the interior plateau ecoregion, the Erie/Ontario lake plains ecoregion, the western Allegheny plateau ecoregion and the eastern corn belt plains ecoregion. For the Huron/Erie lake plains ecoregion, the comparable species composition, diversity and functional organization are based upon the ninetieth percentile of all sites within the ecoregion. For all ecoregions, the attributes of species composition, 3745-1-07 4

diversity and functional organization will be measured using the index of biotic integrity, the modified index of well-being and the invertebrate community index as defined in "Biological Criteria for the Protection of Aquatic Life: Volume II, Users Manual for Biological Field Assessment of Ohio Surface Waters," as cited in paragraph (B) of rule 3745-1-03 of the Administrative Code. In addition to those water body segments designated in rules 3745-1-08 to 3745-1-32 of the Administrative Code, all upground storage reservoirs are designated warmwater habitats. Attainment of this use designation (except for upground storage reservoirs) is based on the criteria in table 7-15 of this rule. A temporary variance to the criteria associated with this use designation may be granted as described in paragraph (F) of rule 3745-1-01 of the Administrative Code.

(b) "Limited warmwater" - these are waters that were temporarily designated in the 1978 water quality standards as not meeting specific warmwater habitat criteria. Criteria for the support of this use designation are the same as the criteria for the support of the use designation warmwater habitat. However, individual criteria are

varied on a case-by-case basis and supersede the criteria for warmwater habitat where applicable. Any exceptions from warmwater habitat criteria apply only to specific criteria during specified time periods and/or flow conditions. The adjusted criteria and conditions for specified stream segments are denoted as comments in rules 3745-1-08 to 3745-1-30 of the Administrative Code. Stream segments currently designated limited warmwater habitats will undergo use attainability analyses and will be redesignated other aquatic life habitats. No additional stream segments will be designated limited warmwater habitats.

(c) "Exceptional warmwater" - these are waters capable of supporting and maintaining an exceptional or unusual community of warmwater aquatic organisms having a species composition, diversity, and functional organization comparable to the seventy-fifth percentile of the identified reference sites on a statewide basis. The attributes of species composition, diversity and functional organization will be measured using the index of biotic integrity, the modified index of well-being and the invertebrate community index as defined in "Biological Criteria for the Protection of Aquatic Life: Volume II, Users Manual for Biological Field Assessment of Ohio Surface Waters," as cited in paragraph (B) of rule 3745-1-03 of the Administrative Code. In addition to those water body segments designated in rules 3745-1-08 to 3745-1-32 of the Administrative Code, all lakes and reservoirs, except upground storage reservoirs, are designated exceptional warmwater habitats. Attainment of this use designation (except for lakes and reservoirs) is based on the criteria in table 7-15 of this rule. A temporary variance to the criteria associated with this use designation may be granted as described in paragraph (F) of rule 3745-1-01 of the Administrative Code.

(d) "Modified warmwater" - these are waters that have been the subject of a use attainability analysis and have been found to be incapable of supporting and

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maintaining a balanced, integrated, adaptive community of warmwater organisms due to irretrievable modifications of the physical habitat. Such modifications are of a long-lasting duration (i.e., twenty years or longer) and may include the following examples: extensive stream channel modification activities permitted under sections 401 and 404 of the act or Chapter 6131. of the Revised Code, extensive sedimentation resulting from abandoned mine land runoff, and extensive permanent impoundment of free-flowing water bodies. The attributes of species composition, diversity and functional organization will be measured using the index of biotic integrity, the modified index of well-being and the invertebrate community index as defined in "Biological Criteria for the Protection of Aquatic Life: Volume II, Users Manual for Biological Field Assessment of Ohio Surface Waters," as cited in paragraph (B) of rule 3745-1-03 of the Administrative Code. Attainment of this use designation is based on the criteria in table 7-15 of this rule. Each water body designated modified warmwater habitat will be listed in the appropriate use designation rule (rules 3745-1-08 to 3745-1-32 of the Administrative Code) and will be identified by ecoregion and type of physical habitat modification as listed in table 7-15 of this rule. The modified warmwater habitat designation can be applied only to those waters that do not attain the warmwater habitat biological criteria in table 7-15 of this rule because of irretrievable modifications of the physical habitat. All water body segments designated modified warmwater habitat will be reviewed on a triennial basis (or sooner) to determine whether the use designation should be changed. A temporary variance to the criteria associated with this use designation may be granted as described in paragraph (F) of rule 3745-1-01 of the Administrative Code.

(e) "Seasonal salmonid" - these are rivers, streams and embayments capable of supporting the passage of salmonids from October to May and are water bodies large enough to support recreational fishing. This use will be in effect the months of October to May. Another aquatic life habitat use designation will be enforced the remainder of the year (June to September). A temporary variance to the criteria associated with this use designation may be granted as described in paragraph (F) of rule 3745-1-01 of the Administrative Code.

(f) "Coldwater" - these are waters that meet one or both of the characteristics described in paragraphs (B)(1)(f)(i) and (B)(1)(f)(ii) of this rule. A temporary variance to the criteria associated with this use designation may be granted as described in paragraph (F) of rule 3745-1-01 of the Administrative Code.

(i) "Coldwater habitat, inland trout streams" - these are waters which support trout stocking and management under the auspices of the Ohio department of natural resources, division of wildlife, excluding waters in lake run stocking programs, lake or reservoir stocking programs, experimental or trial stocking programs, and put and take programs on waters without, or without the potential restoration of, natural coldwater attributes of temperature and  
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flow. The director shall designate these waters in consultation with the director of the Ohio department of natural resources.

(ii) "Coldwater habitat, native fauna" - these are waters capable of supporting populations of native coldwater fish and associated vertebrate and invertebrate organisms and plants on an annual basis. The director shall designate these waters based upon results of use attainability analyses.

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